

(32)
1-24-
SC

EPS-024

January 9, 2002

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 01-4192Coombs v. Myers
(M.D. Pa. No. 01-cv-00247)**FILED**
HARRISBURG, PA

To: Clerk

JAN 23 2002

1) Motion for Leave to Proceed In Forma PauperisMARY E. D'ANDREA, CLERK
Per [Signature]

The foregoing Motion to proceed in forma pauperis is granted. The motion is referred to a panel of the Court insofar as the appointment of counsel is requested.

Appellant is a prisoner and seeks to proceed in forma pauperis on appeal. Appellant is required to pay the full \$105.00 fee in installments regardless of the outcome of the appeal. Appellant has completed and filed the required authorization form permitting the appropriate prison officials to assess, collect and forward to the District Court the filing and docketing fees for this appeal pursuant to 28 U.S.C. §§ 1915(b)(1) and (2). The Court hereby directs the warden or his or her designee to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to the prisoner's account; or (b) the average monthly balance in the prisoner's account for the six month period immediately preceding the filing of the notice of appeal. The warden, or his or her designee, shall calculate, collect, and forward the initial payment assessed in this order to the United States District Court for the Middle District of Pennsylvania. In each succeeding month when the amount in the prisoner's account exceeds \$10.00, the warden, or his or her designee, shall forward payments to the United States District Court for the Middle District of Pennsylvania equaling 20% of the preceding month's income credited to the prisoner's account until the fees are paid. Each payment shall reference the appellate docket number for this appeal.

This appeal will be submitted to a panel of the Court for determination under 28 U.S.C. § 1915(e)(2). The Court also will consider any other appropriate action, such as summary affirmance of the order of the District Court. See Third Circuit Internal Operating Procedures Chapter 10.6.

[Signature: Marcia M. Waldron]
Marcia M. Waldron,
Clerk

For the Court,

[Signature: Marcia M. Waldron]
Clerk

Dated: January 16, 2002
SMA:CC:TO: Mr. DRC, PSC

1 to CV

OFFICE OF THE CLERK

MARCIA M. WALDRON
CLERKUNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
601 MARKET STREET
PHILADELPHIA 19106-1790TELEPHONE
215-597-2995Wilder Stanton
(District) Clerk of District CourtDate 1-16-02Coombs vs. Myers
(Caption)C. of A. No. 01-4192COOMBS
(Appellant)01-CV-00247
(D.C. No.)RECEIVED
HARRISBURG

JAN 23 2002

Enclosures:

1-16-02
(Date)

2.12am to

MAR. E. WALDRON

Per 9/1

Certified copy of C. of A. Order by the Court (Clerk)

_____ Released (Record) (Supplemental Record - First - Second - Third)

_____ Copy of this form to acknowledge receipt and return to C. of A.

_____ Record not released at this time until appeal(s) closed at No.(s) _____

_____ Please forward Certified List in Lieu of Record to this office.

_____ The certified copy of order issued as the mandate on _____
is recalled.Sharon Bank
Deputy Clerk Telephone Number (267)-299-4420

Receipt Acknowledge:

ack'd
(Name)1-23-02 GR
(Date)Rev. 3/13/00
Appeals (Certified List in Lieu of Record)